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CAUSES AND ORIGIN OF THE DECREE OF APRIL
6, 1830¹

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I. INTRODUCTION

1. *Mexico, 1823-1833.*—To appreciate the significance of any measure of the Mexican federal government, with regard to Texas, during the years 1820-1836 it is necessary to have a knowledge of conditions in Mexico during that time, as well as some understanding of the feeling of the Mexican people toward their neighbors of the north, the people of the United States. This is possibly more true of the decree of April 6, 1830, than of any other political measure passed by the Mexican government, with reference to Texas, during the whole period of Anglo-American colonization. Therefore, before taking up a study of the decree, it will be well to review rapidly the salient facts in Mexico's history during the decade 1823-1833.

After a struggle of eleven years, Mexico succeeded, in 1821, in freeing herself from the yoke of Spain. During the next three years she went through a restless period of governmental experiments, the boldest of which was the adoption in 1824 of a constitution and a republican form of government. It seemed for a while as if this radical step was to prove successful. The first president, Guadalupe Victoria, was a fairly able executive, and piloted the war-worn nation safely through the first three and a half years of his administration. But the presidential campaign of 1828 was a sharp contest between two strong candidates, Gomez Pedraza and Vicente Guerrero. Pedraza was declared elected, but Guerrero charged unfairness in the election and took up arms in support of his claim. He was a popular military leader and suc-

¹The manuscript materials used in the preparation of this paper are found in the Austin Papers at the University of Texas, and in the transcripts which the University has made from the Mexican archives. The transcripts here used are from the *Archivo de Guerra y Marina, Operaciones Militares, Fracción 1*. Each document will be referred to by Legajo and date.

ceeded in establishing himself in the presidential chair at the beginning of the new term, April 1, 1829. In the summer of 1829, the nation was thrown into excitement over an attempt of Spain to invade her former possession with a view to reconquest. The Spanish troops were easily repelled by Generals Terán and Santa Anna, but during the crisis President Guerrero had been invested with dictatorial powers, and his exercise of the extraordinary authority afforded political agitators an opportunity to raise the cry of tyranny. Anastasio Bustamante, who had been elected vice-president on the ticket with Pedraza, easily "assumed the role, which is always open to the demagogue, of preserver of the constitution and liberator of the people,"¹ and incited a revolt against Guerrero, who fled from the capital, leaving his rival in possession. Bustamante assumed the chair and held it until he in turn was driven out by the ambitious Santa Anna in November, 1832. Pedraza was now installed to fill out his unexpired term, and on April 1, 1833, Santa Anna himself became president. The turbulent history of the next few years does not directly concern the subject of the decree of April 6, 1830.

2. *The Anglo-American Colonization of Texas.*—During the years while Mexico was effecting the outward metamorphosis into a full-fledged republic, she took a step which seemed at the time not only justifiable but commendably progressive, but one which shortly proved to have been a serious political blunder. This was nothing less than the opening of her doors to foreign immigration. It is true that the first concession in this direction was made under Spanish authority to Moses Austin of Missouri, in 1821, but the grant was reaffirmed by the various succeeding governments, and in August, 1824, the new republic promulgated a general colonization law² most generous in its provisions. The intent of the law seems to have been a deliberate bid for colonization from the English-speaking states of the north. The reason back of this was doubtless in some degree an impulsive feeling of fellowship on the part of the newly born Mexican republic for the strong and successful sister republic whose boundaries touched her own. She was grateful for the sympathy extended by the people of the United

¹Garrison, *Texas*, 104.

²Dublan y Lozano, *Legislación Mexicana*, I, 712.

States during her struggle with Spain, and for the prompt official recognition of her independent government in 1822. It can be regarded as but natural if she saw in the future a welding of interests and population at the inland borders of the two nations. Mexican statesmen were fully cognizant of the impulse of westward expansion in the United States, and they gladly threw open before it the fertile lands of Texas. As before stated, the step seemed both justifiable and progressive. The mistake lay in the fact that Mexico was ignorant of the nature of the people whom she was inviting within her borders. Without imputing blame or making comparisons disparaging to either people, it may be categorically stated that amalgamation, or even understanding, was essentially impossible between the representatives of the two races who came in contact with each other in Texas. By race, tradition, and education the two peoples were separated by an impassable gulf. But the business of colonizing Texas was undoubtedly taken up in good faith on both sides; the friction, easily as it developed, was neither sought nor welcomed by either; it was simply inevitable.

One of the first notes of alarm to sound in Mexico's ears was the amazing success of her proposition. In three hundred years, Spain had managed to people Texas with some four thousand souls,¹ while in one decade, 1820-1830, under the new colonization scheme, the civilized population increased to five times that number,² of whom the English-speaking inhabitants were in a large majority.³ This rapid immigration would possibly have resulted under any conditions by which Texas might have been opened to Anglo-American settlement, but it was peculiarly facilitated by the colonization scheme adopted by the state legislature of Coahuila-Texas in 1825.⁴ Under this law, certain persons designated as *empresarios* could contract with the state government to settle a number of families on vacant lands in the state, the head of each family receiving from the government one league of grazing land or one *labor* of agricultural land, or both,⁵ and the

¹Garrison, *Texas*, 124.

²*Ibid.*, 156.

³Terán to Guadalupe Victoria, June 30, 1828. Transcript. Legago 7, 1836.

⁴Gammel, *Laws of Texas*, I, 99-106.

⁵*Ibid.*, Art. 14.

empresario receiving five leagues and five *labors* for each one hundred families introduced through his efforts, provided he did not receive the premium on more than eight hundred families.¹ The price paid for this land by immigrants was \$30 for a league and \$2.50 to \$3.50 for a *labor*.² It is at once evident that such offers to a people imbued with the spirit of land-getting would not lack takers, if the land were of any value at all, and these lands were for the most part extraordinarily rich.

Stephen F. Austin was the most successful *empresario*. He introduced over twelve hundred families. "His colony was the predominant element of Anglo-American Texas, and he the foremost figure among the colonists."³ The new population was located along the lower courses of the rivers between the Sabine and the Nueces, and for the most part south and east of the old San Antonio Road, which connected Béjar with Nacogdoches.

A most significant fact in the colonization of Texas was the political status of the colonies. Aside from a general oath of allegiance to the Mexican federal and state governments, required of every male colonist, each of the colonies was practically independent in the management of its local affairs. It is obvious that this fact offered opportunity for serious trouble in case any race antagonism should develop. Such antagonism did develop, and, combined with other circumstances, engendered in the minds of the Mexican people angry suspicions as to the designs of the United States upon the province. It needs to be noted that the Mexican statesmen who framed the colonization policy, if not aware of the inevitableness of such suspicions, were yet by no means blind to their possibility, as is evidenced in a clause of the federal law of August 18, 1814, which reads as follows: "Prior to the year 1840, the general congress shall not prohibit the introduction of foreigners for the purpose of colonization, unless imperious circumstances make it necessary to do so with respect to the individuals of some particular nation."⁴

¹Gammel, *Laws of Texas*, I, 102, Art. 12.

²*Ibid.*, Art. 22.

³Garrison, *Texas*, 157.

⁴Dublan y Lozano, *Legislación Mexicana*, I, 712, Art. 7.

II. GROWTH OF FRICTION BETWEEN TEXAS AND MEXICO

1. *The Fredonian Rebellion*.—It was hardly to have been expected that all the *empresarios* who attempted to settle families in Texas would be men of tact and far-sighted judgment, and it was to be expected that the *empresarios* lacking these qualities would not find trouble avoiding him, since there were earlier settlers scattered throughout the sections chosen for colonization. Hayden Edwards was the man who first became involved in a serious difficulty arising from this cause. The story of his misfortune and political disagreements, ending in armed rebellion against the Mexican government and his final expulsion from the province, it is well known to need reciting here. The point that concerns us is the attitude of Edwards's fellow-colonists and that of the federal authorities toward his movement. Dr. Garrison says:¹

The rising . . . met with little encouragement. It was only in Edwards's colony that there appeared just then to be any occasion for it, and the general mass of Anglo-Americans had little interest in the quarrels of the local factions at Nacogdoches. In Austin's colony there had been up to this time no serious friction with the Mexican authorities, and the sentiment of gratitude and loyalty towards Mexico in that quarter was strong. Had Austin been moved by this feeling less than he was, it would have been easy for him, looking at the matter from a business standpoint, to see that the Fredonian outbreak threatened ruin to the work of the *empresarios*. Farther than this, the Fredonians were in alliance with the Indians, whom he and his colonists had good reason to dread. His mind, therefore, was quickly made up. He took strong ground against the insurrection, using his influence to suppress it, and sending a considerable detachment of militia from his colony with the Mexican troops who marched to put it down.

This was accomplished with comparatively little difficulty in January of 1827, and the Fredonian Rebellion became a thing of memory only. But the seed of suspicion had been sown.

This was the first tangible incident calculated to stimulate racial distrust. In spite of the fact that the rebellion had been easily suppressed and the offenders expelled, Mexico might easily have made the inquiry, "What of the North Americans who did

¹Garrison, *Texas*, 166-7.

not join *this time?*" It is not likely that intelligent Mexicans saw in Austin's loyal attitude more than a shrewd business foresight. Whether or not at that time they regarded the uprising as inspired from abroad, it is hard to say; but it was not long until they began to see in it a conspiracy on the part of the United States to acquire Texas by insidious means. Lieutenant Tarnava, in a report regarding the Texas question, made at the instance of General Terán to the Minister of War, in January, 1830, uses the following language:¹ "General Terán does not doubt that the United States will carry out their project of possessing Texas at the first opportunity, which opportunity will be as soon as they think we are torn by civil strife—a consideration which should not be lost sight of for one moment; either they would incite the American population to revolt, *as they tried to do in 1826 at Nacogdoches,*² or else they would openly use force to support their pretended claims."

2. *Attempts of the United States to Purchase Texas.*—This suspicion of a conspiracy, however slight it may have been in 1826, was confirmed and increased by the evident desire of the United States to possess Texas, a desire repeatedly emphasized in the instructions issued to her diplomatic agents in Mexico during the administrations of John Quincy Adams and Andrew Jackson, for the desire had not ceased to exist with the legal adjustment of the boundary at the Sabine by the Treaty of Onís in 1819. The relinquishment of Texas at that time was acquiesced in most reluctantly by Adams, the Secretary of State, and shortly after he became president in 1825 he began negotiations for the purchase of all or a part of the territory between the Sabine and the Rio Grande. Poinsett, the agent of the United States in Mexico, after feeling the ground, counselled delay. But in 1827 he was instructed by the state department at Washington to offer Mexico one million dollars for the territory between the Sabine and the Rio Grande, extending westward to the Pecos and north to the Arkansas; if this much could not be secured, he was to offer five hundred thousand for a boundary at the Colorado. Mexico not only had no intention of accepting these offers, but became alarmed and demanded the recognition of the line of 1819 as

¹Tarnava to Ministro de Guerra, January 6, 1830. Transcript. Legajo 14, 1830.

²The italics are the present writers.

the condition of any commercial treaty between herself and the United States. The United States acceded to this condition, but the offers to purchase were not permanently discontinued, Poinsett's successor reopening them in 1829-30.

Clay, in his instruction to Poinsett in 1827, had suggested as a possible argument to be used in the negotiations that the continued settlement in Mexican territory of Anglo-Americans, who bore with them the political principles of their own nation, must inevitably lead to friction. Poinsett was wise enough not to advance this idea, but it certainly occurred to the Mexican leaders, and they magnified its significance. The possible transfer of Texas to the United States was being written and spoken about freely in the North, and Mexico was by no means uninformed of what was discussed in the papers of the United States.

The following extracts will serve to indicate the interest the subject had aroused in the United States. A friend of Austin wrote from Lexington, Kentucky, in the fall of 1829:¹

I am sorry to perceive that Mexico is again exposed to foreign war as well as intestine divisions. We are all anxious to purchase Texas from Mexico and the subject is beginning to excite a great deal of warm discussion in our public prints. If Mexico will dispose of it on reasonable terms, I believe our government will no doubt be glad to obtain it, and I am sure it will meet the almost universal desire of our citizens. The consequences to the holders of property in Texas would be very important and it would promote the happiness and prosperity of all the citizens of the province. A great many citizens of Kentucky would move to your settlement instantly if it were under our government.

About the same time a Texas colonist, then on a visit "back home," wrote from Nashville:²

The prosperity of your colony . . . has now become a leading topic in conversation and one of the most interesting subjects of discussion in the political papers. A strong and simultaneous effort is at this moment making from the one end of the country to the other to induce this government to purchase it. I incline to the belief that if the Mexican government will *sell* this government will *buy*.

¹McCalla to Austin, October 6, 1829. Austin Papers.

²Nicholas to Austin, October 11, 1829. Austin Papers.

But in December of this same year David G. Burnet wrote from Cincinnati¹ that newspaper discussion of the purchase of Texas had abated, since Poinsett's conduct had made him too unpopular to negotiate a treaty. This was quite true as to Poinsett's position in Mexico; in fact, he had already been recalled, to be succeeded by Colonel Anthony Butler, who, however, as events proved, was a less fit representative of the United States government than Poinsett had been. In January, 1830, John Austin, a citizen of Texas, but at that time in the United States, wrote from New York² that he was assured by "credible authorities" that purchase was hopeful, that the subject was being discussed by the English papers, and that Mexico was seemingly disposed to friendliness with the United States.

All of this interest and discussion were doubtless well known in Mexico, and when it is remembered that in addition to this the chargé of the United States was broaching the subject at every opportunity, it is no wonder that Mexico began to see evidence of a sinister design in the persistent desire of her neighbor to possess Texas. She feared that what the United States could not obtain by negotiation she might try to take by force. This fear is repeatedly expressed in the letters of General Terán, who was at this time *comandante general* of the Eastern States, with headquarters in Tamaulipas. He was in close touch with Texas affairs from 1827 until his death in 1832, and his observations and reports are the most reliable source of information on the Texas question, as seen by Mexican eyes, during this period.

But if we are to take Austin at his word, the Texans of intelligence had no desire to see Texas transferred to the United States. The first expression that I have seen from Austin on this subject is in a letter to his sister, Mrs. Perry, and her husband, written in March, 1830. He is urging them to emigrate to Texas at once:*

Pay no attention to rumors and silly reports, but push on as fast as possible. We have nothing to fear from this govt. nor from any other quarter except from the United States of the North. If that Govt. should get hold of us and introduce its land system, etc., thousands who are now on the move, and have

¹Burnet to Austin, December 4, 1829. Austin Papers.

²John Austin to S. F. Austin, January 1-22, 1830. Austin Papers.

*Austin to J. F. and E. M. Perry, March 28, 1830. Austin Papers.

not yet secured their titles, would be totally ruined. The greatest misfortune that could befall Texas at this moment would be a sudden change by which any of the emigrants would be thrown upon the liberality of the Congress of the United States of the North. *Theirs would be a most forlorn hope.* I have no idea of any change unless it be effected by arbitrary force, and I have too much confidence in the magnanimity of my native country to suppose that its Govt. would resort to *that* mode of extending its already unwieldy frame over the territory of its friend and neighbor and sister republic.

On the following day, apparently alarmed by "rumors and silly reports" of the approach of troops from the Rio Grande—rumors evidently too well founded of Terán's expedition, then on the way—Austin was moved to write a lengthy letter to the political chief at Béjar,¹ in which he repeated and amplified the views expressed in the letter to his relatives. He takes up at some length the unconstitutionality of the sale of Texas by the federal government of Mexico, declaring that under the law of August 18, 1824—

The national government cannot give title to one single individual for even one *vara* of public land in the state; how then can it sell all the lands to a foreign power? . . . One of the objects of the Government of the North in seeking to acquire Texas is to derive revenue from the sale of our public lands, and if we should be transferred to that government without the previous necessary guarantees, many individuals who have received concessions under the old government and under this would lose their lands under the pretext of not having complied with each trivial detail of the grant. . . . It is my duty to inform you as my political chief of the public opinion here concerning a particular of such grave importance to all the inhabitants of Texas and of so much interest to the government, for it is possible that in Mexico they might believe that the new colonists desire to be transferred to the Government of the North, and influenced by this mistaken belief, they might perhaps take some step very injurious to Texas and the true interests of the State of Coahuila and Texas and all the nation. The new colonists desire no such thing, nor would they in any manner consent to a transfer to the Government of the North without the greatest number of previous guarantees.

This letter is particularly interesting as coming at this date,

¹Austin to Musquiz, March 29, 1830. Austin Papers.

since the "injurious step" was, as we shall see, already framed and was actually passed by the Mexican congress and published less than ten days after Austin wrote Musquiz. One is led to suspect that the "rumors and silly reports" had disquieted Austin more than he felt disposed to admit, and that he wrote to Musquiz, whom he knew to be politically his friend, in the hope of forestalling the injurious measure.

3. *The Question of Slavery.*—Many of the English-speaking settlers in Texas were slaveholders. Some had been so when they emigrated to the new country and others found it to their advantage to acquire slaves after arriving in Texas. There were two reasons for this. Frontier conditions do not furnish a numerous or cheap wage-earning class, yet cheap labor is essential at such a time. Slaves were practically a necessity for the profitable cultivation of the land in Texas. In the second place, it is not likely that Mexican and Indian labor, even had it been available and cheap, would have been readily adopted by the Anglo-American settlers. The indolence and sensitive pride of the Mexican constituted a combination that made him undesirable as a laborer.

However, the Mexican nation early set its stamp of disapproval on negro slavery, though the existing laws on this subject at the time when colonization began from the United States were somewhat ambiguous. The state constitution of Coahuila-Texas, adopted in March, 1827,¹ declared that from that date no person could be born a slave in the state, and that after six months no introduction of slaves should take place under any pretext whatever. Had this decree been enforced literally, it would have seriously retarded the development of Texas. The colonists evaded it by taking advantage of a law passed May 5, 1828,² which recognized the legality of contracts made between master and servant prior to arrival in Texas. The emigrant settler thus merely took the trouble to make a practically non-terminable contract with his slaves before he crossed the Sabine.³ Under this arrangement, colonization went on uninterruptedly, so far as slavery was concerned, for two more years. In view of Mexico's system of peonage, in some ways un-

¹Gammel, *Laws of Texas*, I, 47-56.

²Bugbee, "Slavery in Early Texas," in *Political Science Quarterly*, XIII, 409.

³*Niles' Register*, XXXIV, 334.

doubtedly worse than avowed slavery, it is evident that it was the name rather than the institution to which she objected. But whether her attitude was consistent, or merely a gross oversight of the beam in her own eye while looking for the mote in her neighbor's eye, was a question that did not affect her feelings toward the actual fact of slavery in Texas. It was a constant source of irritation to her that, in spite of repeated laws on the subject, the English-speaking colonists of the northern province continued to hold their black slaves, and the semblance of legality afforded by the state law cited served only to deepen the irritation.

General Terán, in a letter to President Guadalupe Victoria, written from Nacogdoches in 1828,¹ says: "If these laws [abolishing slavery] should be repealed—which God forbid—in a few years Texas would be a powerful state which could compete in wealth and productions with Louisiana." General Terán's observations on the situation in Texas in 1828 are not only keen and intelligent, but doubly interesting from the fact that he is inclined to respect, if not even to admire, the Anglo-American colonists as a whole. In the words just quoted he implies his personal disapproval of slavery as an institution—a disapproval expressed in no uncertain terms elsewhere in the letter—but he is at the same time able to grasp the economic importance of the institution. In another passage of the same letter he points out two sources of danger from these slaveholding citizens. He says that they are impatient of the restraint placed upon the development of Texas by anti-slavery laws, and that they are also annoyed at the effect of such legislation on the attitude of the slaves themselves. Just how far the last observation may be true—and Terán was but newly arrived in the province—and how much weight to attach to it if true, are matters open to question; but that the Mexican leaders saw in the rigid prohibition of slavery a weapon with which to strike at Anglo-American immigration and influence is evidenced in the renewed attack on the institution in 1829.

When Guerrero was invested with dictatorial powers in that year, those of the Mexican leaders who were especially desirous of seeing Anglo-American colonization cut short induced him to issue a

¹Terán to Guadalupe Victoria, June 28, 1830. Transcript. Legajo 7. 1836.

decree unequivocally abolishing slavery throughout the republic, the measure to take effect on the date of publication, September 15, 1829.¹ Such radical action naturally stirred up the Texans the more, since it was evident that it was aimed directly at the Anglo-American colonists, who alone held slaves in any considerable number. The decree was never officially published in Texas, and was withdrawn, so far as that state was concerned, in less than two months after its passage. Mr. Bugbee, in his article on slavery in Texas cited above, says that a simultaneous impulse seems to have moved a number of Texas authorities to protest against the application of the decree to Texas, and that their efforts through the governor of Coahuila were sufficient to secure this end in December, 1829. But while Austin's first knowledge of the decree seems to have come from the political chief at Béjar in a letter dated October 29,² wherein the political chief states that the copy of the decree has but just arrived, on November 20 Terán wrote Austin,³ from Tampico, saying that he had been authorized by the president to exempt Texas from the decree of September 15, 1829, in all except the importation of slaves, and suggesting that it would be unnecessary to publish the decree in Texas. Whether or not this action of the president was in response to remonstrances already received from the state authorities of Coahuila and Texas cannot be stated, but if so it was unusually prompt action for political authorities in Mexico.

There is some ground for believing that Terán himself may have been instrumental in holding up the measure. Austin in his answer to Terán's letter thanks him for his offices in securing the favor from the president. Also, Alaman, in his *Iniciativa* of February 8,⁴ 1830, says: "Such is the independence enjoyed by the North American colonists, and to such a point have the privileges awarded them borne fruit, that when the decree of September 15 of last year abolishing slavery was issued, in accordance with dictatorial powers, the commander of the frontier of that state declared that

¹Dublan y Lozano, *Legislación Mexicana*, II, 163.

²Musquiz to Austin, October 29, 1829. Austin Papers.

³Terán to Austin, November 20, 1829. *Ibid.*

⁴Austin to Terán, December 28, 1829. *Ibid.* Filisola, *Memorias para la Historia de la Guerra de Téjas*, I, Appendix.

he could not hope to see such a decree obeyed unless it should be enforced by a larger military force than he then had."¹

4. *The General Character of the Two Races.*—There are fundamental differences between the Mexican and American races which even today make amicable joint occupation of a territory difficult. This is true even where cultured and intelligent members of both nations come in contact. Mutual understanding seems, generally speaking, to be confined to individual instances, of which the number is not surprisingly large. On the contrary, prejudice on each side is deeply rooted. In the case of Texas this race antagonism developed very shortly after Anglo-American settlement began, and frontier conditions were calculated to nourish it. Mexico has never had an emigrant class in the sense in which that term is applied to the European and Anglo-American. The impulse behind the emigration of those races is the desire to better conditions of living and to acquire homes at a cheaper price. Mexican emigration has been of a more casual and purposeless nature. There were a few Mexicans of the better class in Texas, but they were for the most part living in or near San Antonio de Béjar and Goliad. While relatively few of the Anglo-Americans who came to the new colonies were cultured, at least they were generally honest and industrious and came with the intention of making homes in the new country. One of the requirements of empresario contracts was that each colonist should furnish a certificate of good moral character, and this requirement was fairly well observed.

The attitude of the two races toward law and political institutions was essentially different through centuries of different political training. The one race, in all its history, had known only primitive chief-rule and Spanish military despotism, while the other was the heir of not only the traditions but the actual results of political freedom centuries old. The outward form and terminology of the local colonial governments was Mexican, and they were subject in the higher courts to the legal procedure of the adopted country, but the spirit of the local administration was the

¹It is not certain whether the "commander of the frontier of that state" means Colonel Piedras, who was in command of the local garrison at Nacogdoches, or General Terán, who was *comandante general* of the Eastern States; these states are often referred to as the states on the frontier.

spirit of the country which had given these colonists birth. Dr. Garrison says:¹

The crossing of the Sabine had wrought no change in the character of the Anglo-Americans. They were, like any band of men gathered by their own choice to participate in such an enterprise, the hardiest and most adventurous among the law-abiding element of their kind, being especially difficult to govern by any method which they did not themselves approve. They kept their own institutions, slavery included; and this they did with the greater freedom because the centers of superior governmental authority and power were far away, and the forces emanating therefrom were too weak at such a distance either to lead or drive the Texas settlers along the Mexican way. Free speech, popular elections, and practical self-government became the rule in Austin's colony from the beginning. The merest tyro in history or political science should have been able to see in the situation the essential elements of revolution.

III. GENERAL TERÁN BECOMES CONNECTED WITH THE AFFAIRS OF TEXAS.

1. *The Boundary Commission, 1827-1828.*—Mexican leaders very shortly realized that they had, as Bancroft expressed it, "overshot the mark in their liberal policy" of colonization. The Fredonian Rebellion opened their eyes to the dangers of the situation, and by the fall of 1827 it was decided to send to Texas a commissioner to inspect conditions, though this part of his mission was apparently secret, his ostensible purpose being the location of the boundary between the United States and Mexico, made necessary by a new boundary treaty at that time under negotiation. The man chosen for this mission was General Manuel Mier y Terán,² then one of the ablest men in Mexico.

¹Garrison, *Texas*, 151-152.

²Don Manuel Mier y Terán was one of the most cultured and intelligent men in Mexico during the years 1820-1832, according to Filisola, Tornel, and Dr. Mora, the latter Terán's biographer. (See Filisola's *Guerra de Tejas*, I, Chapter XXIII and Appendix, and Tornel's *Breve Reseña*, 171-173.) According to Dr. Mora, Terán was connected with the struggle for independence from the year 1810, and from that date until his death he was unwaveringly loyal to the cause of Mexico. At the time of his appointment as chief of the boundary commission, he was head of the School of Artillery in Mexico City. In 1829 he was made *comandante general* of the Eastern States, and Dr. Mora says that had he lived, he instead of Santa Anna, would have been elected to the presidency in 1832. Tornel

He was eminently qualified for the task, and from this time until his death in 1832, every important act of the government in relation to Texas is directly traceable to him, except the emancipation decree of September 15, 1829, and, as was shown above, there are grounds for believing that the immediate withdrawal of that was due to his influence. Consequently, it is necessary to follow in detail the history of Terán's connection with Texas, beginning with his appointment as chief of the boundary commission.

Unfortunately, it has not been possible to find a copy of Terán's instructions, and hence the statement that the inspection of the colonies was a prime object of his mission is inferential. First, a word as to the need of such an inspection. It was only a few months since the Fredonian rebellion. In June of 1827 Colonel Piedras had been stationed at Nacogdoches with three hundred

says: "The efforts of General Terán to save the district of Texas to the nation were tremendous, and when the military command fell to him, through the removal of General Bustamante, he disciplined the colonies with effective vigor. One of our revolutions destroyed the fruit of his valiant labors and sent him to his death, to the sorrow of all patriotic citizens." The revolution referred to was that by which Santa Anna deposed Bustamante, and Tornel is wholly correct in his assertion that it was this revolution that destroyed Terán's work in Texas.

As to Terán's ability and personality, Filisola quotes Dr. Mora as follows: "Terán was a scholar who was worthy of a distinguished place in the Paris Academy of Sciences, and furthermore he was a man of the highest distinction with regard to integrity of conduct, social qualifications, polish of manner, and even personal appearance; he fought always in the cause of independence, and this with honor, purity of purpose, intelligence and ability, during a period when examples of these virtues were rare enough, and examples of their opposing vices woefully frequent. In his political faith he was a progressive. . . . Terán had ambition, but being honorable enough to realize that such should not be satisfied at the price of civil war, he abandoned such a field to the vulgarly ambitious. But when his country's cause was endangered by Spanish invasion, he hastened to the field of battle, where he won the laurels of a victory due almost entirely to his efforts and genius. Neither the rebellion of Acordada, nor that of Jalapa, nor any which followed, gained his approval; to all he refused his services, remaining at all times loyal to the recognized government, firm in the conviction that civil wars, only by exception, are a means of political progress." I have found nothing in Terán's public or private correspondence to contradict this estimate of him. The "recognized government" did not of necessity mean to him constitutional government, apparently, but there is ample evidence that he believed in honest, strong government, whether by a strict adherence to the Constitution of 1824, or by the right of individual capacity. No other view can be taken of his unswerving support of Bustamante. It has generally been reported that, in despair over the defeat of his command by the Santa Anna forces, he died at Padilla by his own hand in July, 1832. Filisola refuses to accept this version, declaring that Terán was assassinated by an emissary of Santa Anna.

troops, a measure which Filisola regards as excellent but inadequate, since it served only to alarm the colonists without intimidating them.¹ The probability is that Piedras's reports were disquieting, for he seems to have been personally obnoxious to the colonists from the beginning of his administration,² and friction at that point was frequent. In addition to this, the federal authorities had little confidence in the state authorities of Coahuila-Texas.³ Alaman, in his *Iniciativa* of February, 1830, says that the congress of Coahuila-Texas had been so negligent that "if General Terán had not visited the department in the discharge of the commission to survey the boundary—and to whom is due practically all the information that has been obtained—we would have seen Texas unexpectedly wrested from the Mexican Federation without our even knowing by what means we had lost it."

Terán received his appointment in September, 1827, evidently receiving his instructions prior to the tenth, for on that date he wrote the minister of relations that he should like more specific instructions on various points, and that in regard to the investigation of colonization contracts held by land companies in the United States he naturally could not hope to get very accurate information.⁴ Two days later the minister, in a very brief letter, furnished a part of the new instructions, and added this paragraph:⁵ "Further, the government desires that your excellency in passing beyond the frontiers which we actually hold, will report whether or not there is any necessity for fortifying any points

¹Filisola, *Guerra de Téjas*, I, Chapter XI.

²T. F. McKinney to Austin, September 9, 1829. Austin Papers.

³Filisola says (*Guerra de Téjas*, I, Chapter XI) that the congress of Coahuila-Texas wasted the lands of Texas in an outrageous manner, and that grants were made to any applicant who appeared, regardless of the requirements of the law. This doubtless reflects the opinion of federal officials of the time. Alaman, in the fifth paragraph of the *Iniciativa* (in Filisola, *Guerra de Téjas*, II, 590), says: "The government of Coahuila-Texas, which should have seen to the carrying out of its laws and prevented the immigration of fraudulent colonists, has not only failed to do this, but neither has it given notice of certain grave disturbances [in Texas]." He then gives a list of federal laws which he says were repeatedly violated, calling particular attention to those requiring all colonists to be Catholics and those prohibiting slavery.

⁴Terán to Minister of Relations, September 10, 1827. Transcript. Legajo 7. 1836.

⁵Pedraza to Terán, September 12, 1827. *Ibid.*

along the same for the necessity of the interior, once the exact boundary is established." It is not likely that this refers to the Sabine boundary, since the paragraph preceding the one quoted deals with proposed fortifications along "the new division line." It seem rather to be a hint to Terán to investigate the need of new military posts in Texas itself.

The commission left Mexico City on November 14, 1827, and reached Béjar on March 10, 1828, having passed through Saltillo, Monterey and Laredo. At the last named place they were met by General Bustamante, at that time *comandante general* of the Eastern States, and he accompanied them to Béjar.¹ This is worth noting for the reason that it was immediately after Bustamante's installation as president of the republic that Têran's plans for the "saving of Texas" reached fruition in the Decree of April 6. From this time until Têran's death in Bustamante's cause the political and personal friendship of these two men was of the closest.

From Béjar Terán proceeded with comparative leisure to Nacogdoches, spending some time in Austin's colony, and from that visit also dates a fairly intimate friendship with Austin that was apparently sincere on both sides, if allowance is made for the difference in opinion as to the political needs of Texas.² It is true that Terán was far from frank with Austin concerning his recommendations to the government but it must be admitted that as Terán saw the situation, such frankness would have defeated what he deemed, so far as Mexico was concerned, an urgent political necessity.

From Nacogdoches Terán wrote a long personal letter to President Guadalupe Victoria,³ which is here given somewhat fully, because of the information that it gives concerning social conditions, and because its suggestions influenced the attitude of the federal government during the next four years and had much to do with the policy which culminated in the decree of April 6, 1830:

¹Filisola, *Guerra de Têjas*, I, Chapter XII.

²See the Austin Papers of 1829-1832, *passim*.

³Legajo 7. 1836. The transcript of this letter bears no signature, but as a report to the minister of war signed by Terán under date of July 7 (*Ibid.*) contains substantially the same information and recommendations, frequently couched in the same language, it seems certain that the author could have been no other than Terán. The letter is dated June 30, 1828.

. . . As one covers the distance from Béjar to this town, he will note that Mexican influence is proportionately diminished until on arriving in this place he will see that it is almost nothing. And indeed, whence could such influence come? Hardly from superior numbers in population, since the ratio of Mexicans to foreigners is one to ten; certainly not from the superior character of the Mexican population, for exactly the opposite is true, the Mexicans of this town comprising what in all countries is called the lowest class—the very poor and very ignorant. The naturalized North Americans in the town maintain an English school, and send their children north for further education; the poor Mexicans not only do not have sufficient means to establish schools, but they are not of the type that take any thought for the improvement of its public institutions or the betterment of its degraded condition. Neither are there civil authorities or magistrates; one insignificant little man—not to say more—who is called an *alcalde*, and an *ayuntamiento* that does not convene once is a lifetime is the most that we have here at this important point on our frontier; yet, wherever I have looked, in the short time that I have been here, I have witnessed grave occurrences, both political and judicial. It would cause you the same chagrin that it has caused me to see the opinion that is held of our nation by these foreign colonists, since, with the exception of some few who have journeyed to our capital, they know no other Mexicans than the inhabitants about here, and excepting the authorities necessary to any form of society, the said inhabitants are the most ignorant of negroes and Indians, among whom I pass for a man of culture. Thus, I tell myself that it could not be otherwise than that from such a state of affairs should arise an antagonism between the Mexicans and foreigners, which is not the least of the smoldering fires which I have discovered. Therefore, I am warning you to take timely measures. Texas could throw the whole nation into revolution.

The colonists murmur against the political disorganization of the frontier, and the Mexicans complain of the superiority and better education of the colonists; the colonists find it unendurable that they must go three hundred leagues to lodge a complaint against the petty pickpocketing that they suffer from a venal and ignorant *alcalde*, and the Mexicans with no knowledge of the laws of their own country, nor those regulating colonization, set themselves against the foreigners, deliberately setting nets to deprive them of the right of franchise and to exclude them from the *ayuntamiento*. Meanwhile, the incoming stream of new settlers is unceasing; the first news of these comes by discovering them on land already under cultivation, where they have been located for many months; the old inhabitants set up a claim to the property, basing their titles of doubtful priority, and for

which there are no records, on a law of the Spanish government; and thus arises a lawsuit in which the *alcalde* has a chance to come out with some money. In this state of affairs, the town where there are no magistrates is the one in which lawsuits abound, and it is at once evident that in Nacogdoches and its vicinity, being most distant from the seat of the general government, the primitive order of things should take its course, which is to say that this section is being settled up without the consent of anybody.

The majority of the North Americans established here under the Spanish government—and these are few—are of two classes. First, those who are fugitives from our neighbor republic and bear the unmistakable earmarks of thieves and criminals; these are located between Nacogdoches and the Sabine, ready to cross and recross this river as they see the necessity of separating themselves from the country in which they have just committed some crime; however, some of these have reformed and settled down to an industrious life in the new country. The other class of early settlers are poor laborers who lack the four or five thousand dollars necessary to buy a *sitio* of land in the north, but having the ambition to become landholders—one of the strong virtues of our neighbors—have come to Texas. Of such as this latter class is Austin's colony composed. They are for the most part industrious and honest, and appreciate this country. Most of them own at least one or two slaves. Unfortunately the emigration of such is made under difficulties, because they lack the means of transportation, and to accomplish this emigration it has become necessary to do what was not necessary until lately: there are empresarios of wealth who advance them the means for their transportation and establishment.

The wealthy Americans of Louisiana and other western states are anxious to secure land in Texas for speculation, but they are restrained by the laws prohibiting slavery. If these laws should be repealed—which God forbid—in a few years Texas would be a powerful state which could compete in productions and wealth with Louisiana. The repeal of these laws is a point toward which the colonists are directing their efforts. They have already succeeded in getting from the Congress of Coahuila a law very favorable to their prosperity: the state government has declared that it will recognize contracts made with servants before coming to this country, and the colonists are thus assured of the employment of ample labor, which can be secured at a very low price in the United States. This law, according to the explanation made to me by several, is going to be interpreted as equivalent to permission to introduce slaves.

In spite of the enmity that usually exists between the Mexicans and the foreigners, there is a most evident uniformity of

opinion on one point, namely the separation of Texas from Coahuila and its organization into a territory of the federal government. This idea, which was conceived by some of the colonists who are above the average, has become general among the people and does not fail to cause considerable discussion. In explaining the reasons assigned by them for this demand, I shall do no more than relate what I have heard with no addition of my own conclusions, and I frankly state that I have been commissioned by some of the colonists to explain to you their motives, notwithstanding the fact that I should have done so anyway in the fulfillment of my duty.

They claim that Texas in its present condition of a colony is an expense, since it is not a sufficiently prosperous section to contribute to the revenues of the state administration; and since it is such a charge it ought not to be imposed upon a state as poor as Coahuila, which has not the means of defraying the expenses of the corps of political and judicial officers necessary for the maintenance of peace and order. Furthermore, it is impracticable that recourse in all matters should be had to a state capital so distant and separated from this section by deserts infected by hostile savages. Again, their interests are very different from those of the other sections, and because of this they should be governed by a separate territorial government, having learned by experience that the mixing of their affairs with those of Coahuila brings about friction. The native inhabitants of Texas add to the above other reasons which indicate an aversion for the inhabitants of Coahuila; also the authority of the *comandante* and the collection of taxes is disputed.

That which most impressed me in view of all these conditions is the necessity of effective government in Nacogdoches at least, since it is the frontier with which the Republic is most in contact. Every officer of the federal government has immense districts under his jurisdiction, and to distribute these effectively it is necessary to give attention to economy as well as to government and security. The whole population here is a mixture of strange and incoherent parts without parallel in our federation: numerous tribes of Indians, now at peace, but armed and at any moment ready for war, whose steps toward civilization should be taken under the close supervision of a strong and intelligent government; colonists of another people, more progressive and better informed than the Mexican inhabitants, but also more shrewd and unruly; among these foreigners are fugitives from justice, honest laborers, vagabonds and criminals, but honorable and dishonorable alike travel with their political constitution in their pockets, demanding the privileges, authority and officers which such a constitution guarantees. The most of them have slaves, and these slaves are beginning to learn the favorable intent of the Mexican

law toward their unfortunate condition and are becoming restless under their yoke, and the masters, in the effort to retain them, are making that yoke even heavier; they extract their teeth, set on the dogs to tear them in pieces, the most lenient being he who but flogs his slaves until they are flayed.

In short, the growing population, its unusual class, the prosperity and safety of the nation, all seem to me to demand the placing at this point of a *jefe politico* subordinate to the one at Béjar, and also a court of appeals. This done, I do not believe so radical a step as the separation of Texas from Coahuila, now desired by the inhabitants, would be necessary.

I must ask your forbearance for this long letter, but I desire to forward to you at once my observations of this country and not withhold them until the day when I make full report to the government, for fear the time for remedy will be past.

The preliminary report on the boundary had been made on April 8, 1828.¹ On August 2 Terán sent to the governor of Coahuila a copy of the *Natchitoches Courier* containing a reference to a recent colonization contract, which, if authentic, he said, was a violation of the colonization laws.² On October 14 he was still at Nacogdoches and wrote the war department a most urgent request for supplies for the frontier garrisons, whose miserable condition he declared the minister could not even imagine; he also declared that this condition was due to the neglect of the federal government, which had repeatedly been advised of the state of affairs. He reminded the minister that if the matter were not attended to before December the roads would be impassible.³ From these citations it will be seen that Terán was acting as a general inspector of the colonies.

2. *Preparations for a Military Occupation of Texas, 1829-1830.*—What may have been Terán's activities during the winter of 1828-1829 is not shown by the available correspondence. Filisola says that the entire boundary commission left Texas early in 1829, going to Matamoras;⁴ and from there Terán wrote Austin

¹Sanchez to Terán, June 28, 1828. Transcript. Legajo 7. 1836.

²Terán to governor of Coahuila, August 2, 1828. Transcript. Legajo 7. 1836. Terán does not indicate the nature of the violation, and I have not had access to a file of the *Courier*.

³Terán to Minister of War, October 14, 1828. Transcript. Legajo 7. 1836.

⁴Filisola, *Guerra de Tèjas*, I, Chapter XIII.

on March 12, 1829,¹ concerning an exploration of the coast. Shortly after this he evidently visited Texas again, for on May 29 he wrote Austin from Nacogdoches, saying that he would soon leave that place for Béjar.²

Just what Terán's plans were in regard to Texas it is hard to gather from the meager correspondence available; but it seems clear that the initial step was to be the strengthening of the garrisons already in the province. Whatever general plans he may have formulated were facilitated by events in Mexico during the fall of 1829. In April Bustamante had become vice-president, and his place as *comandante general* of the Eastern States had been taken by Felipe de la Garza. In September the Spanish invaders landed at Tampico, and General Santa Anna, in command of the Mexican forces which gathered to oppose them, sent De la Garza on a special mission to the capital, and promoted Terán to the latter's place as second in command.³ After the victory over the Spanish, Terán became officially *comandante general* of the Eastern States. This appointment meant much to his plans for Texas, and he forthwith set to work to handle the Texas question. He wrote the war department, recommending the division of the Eastern States into two military districts, the one to consist of Tamaulipas and Nuevo León, the other of Coahuila-Texas.⁴ He believed that a center of military control nearer the settled portion of Texas would enable the *comandante* to handle that province much more effectively than was possible under the existing organization. He renewed this recommendation in February, 1830, but was then told that the government preferred to leave the district as it was, with him in charge of all.⁵ About a month later, however, the division was apparently made by Congress.⁶

The next letter that I find from Terán concerning Texas was written to the Minister of War on November 14, 1829. His ac-

¹MS. Austin Papers.

²*Ibid.*

³Filisola, *Guerra de Téjas*, II, Chapter XIII.

⁴Terán to Minister of War, October 20, 1829. Transcript. Legajo 14. 1830.

⁵Terán to Minister of War, February 27, 1830, and Minister of War to Terán, March 20, 1830. Transcripts. Legajo 14. 1830.

⁶Pettit to S. F. Austin, April 5-7, 1830. Austin Papers.

quaintance with Texas since writing to President Victoria in June, 1828, had made him more suspicious of the aims of the United States and less confident of the loyalty of the colonists to Mexico. After setting forth the importance of Texas to the federal government and the danger to which it was exposed, lying as it did in the direct path of the westward march of the United States, he entered into a vehement philippic against the expansion policy of that country:

Instead of armies, battles, or invasions, which make a great noise and for the most part are unsuccessful, these men lay hands on means, which, if considered one by one, would be rejected as slow, ineffective, and at times palpably absurd. They begin by assuming rights, as in Texas, which it is impossible to sustain in a serious discussion, making ridiculous pretensions based on historical incidents which no one admits—such as the voyage of La Salle, which was an absurd fiasco, but serves as a basis for their claim to Texas. Such extravagant claims as these are now being presented for the first time to the public by dissembling writers; the efforts that others make to submit proofs and reasons are by these men employed in reiterations and in enlarging upon matters of administration in order to attract the attention of their fellow-countrymen, not to the justice of the claim, but to the profit to be gained from admitting it. At this stage, it is alleged that there is a national demand for the step which the government meditates. In the meantime, the territory against which these machinations are directed, and which has usually remained unsettled, begins to be visited by adventurers and *empresarios*; some of these take up their residence in the country, pretending that their location has no bearing upon the question of their government's claim or the boundary disputes; shortly, some of these forerunners develop an interest which complicates the political administration of the coveted territory; complaints, even threats, begin to be heard, working on the loyalty of the legitimate settlers, discrediting the efficiency of the existing authority and administration; and the matter having arrived at this stage—which is precisely that of Texas at this moment—diplomatic manoeuvres begin. . . . He who consents to or does not oppose the loss of Texas is an execrable traitor who ought to be punished with death. . . .

If war should break out, it would be expedient to suppress it in a single campaign—a less expensive method than to be always on the defensive. But even this would be useless until a colony of one thousand native Mexican families is planted there, an economical measure when it is remembered that the funds spent once

in establishing a colony would be spent many times in maintaining garrisons.

This suggestion for counter-colonization of Texas with Mexican families will be considered later. Just now we are more concerned with the plans for the military expedition. In this same letter Terán acknowledged receipt of a "supreme order" of October 28, concerning "an expedition for the defense of the territory of Texas"—no doubt against the designs of the United States.¹ He accompanied his letter, therefore, by a report of the same date, marked "very private," showing the military condition of his *comandancia*, and indicating what must be done in carrying out the expedition:

The Twelfth Battalion of infantry contains 150 men. It is on duty at Nacogdoches, and should be increased to 500 men; to do this, it will be necessary to make use of the contingents of deserters from the states of San Luis, Guanajuato, and Zacatecas, or else make a levy on the regular troops. It would not be wise to relieve the Twelfth, for the reason that if another battalion were sent, even though it should set out with more than the full enrollment, it would arrive in the same condition as the Twelfth and have to be re-enforced.

The Ninth Regiment of cavalry has 250 men fit for duty; its full complement is urgently needed. The duty of this regiment is a continuous activity in Tamaulipas and Texas. There are on hand arms and equipment for the full number. The members who have survived are acclimated and familiar with the country, and can be depended upon; wherefore, it would be more practicable to fill out this body than to send another.

The Eleventh Battalion of infantry, with 100 men, more or less, remains on guard in the Port of Tampico de Tamaulipas; if it is not raised to its full number, its effectiveness as a guard will be of small account, a danger to the safety of one of our most important seaports. To lessen the utter uselessness of this body, I have detained here the Tenth Infantry; but it should be at the rear, becoming acclimated in Victoria; for to station it at once in Tampico will be to lose those still surviving. It has 150 men reported as fit for duty, but the truth is, all are sick.

The town of Matamoras is a most important maritime point; yet it lacks the most ordinary defence; wherefore, it seems necessary to form a company of coast guards numbering 150 men, who shall constitute a part of the infantry militia, and in addition to

¹I have not had access to the "Supreme Order."

this a body of 40 artillerymen of the same class [i. e., militia]. These bodies can easily be raised in the department of the north [Texas]. This matter is so urgent that extraordinary powers should be conferred upon the president for the purpose of its execution. It is wholly in accordance with his plans.

At the same time that the garrison of Nacogdoches and the regular troops of Béxar and La Bahía are being put in good condition, there should be placed at Béxar a batallion—which I suggest should be the Ninth or some other of not less than 500,—and also a squadron with two field pieces. This unusual reënforcement, most urgent at this moment, would yet be sufficient to cut short all those intrigues by which the Department of Texas is undeniably agitated. To avoid desertion, the above mentioned batallion [the Ninth] should embark at Vera Cruz and land at Matamoras, where I will await it to conduct it to Béxar. It might be well to make some stir over this movement, letting it appear that it is an expedition of 500 or 600 men, or more, if the truth be known, from San Luis and Guanajuato to Texas; perhaps by such means the conclusion of the treaty [with the United States] may be hastened.¹

The chief purpose of placing more troops in Texas was, as Terán expressed it, “to cut short those intrigues by which the department of Texas is undeniably agitated.”

Preparations for the expedition were temporarily interrupted in December by the revolution that placed Bustamante in the presidential chair; but the ultimate result of this change—after the new government was settled—was decidedly favorable to the Texas project. Bustamante, besides being the personal and political friend of Terán, had but recently himself been *comandante general* of the Eastern States, and he gave Terán his support, as did the young minister of relations, Lucas Alamán. It was not, however, until the middle of January, 1830 that the Bustamante government was fully established in Tamaulipas.² Additional delay was occasioned by the opposition of General Felipe de la Garza, whom Terán had succeeded a few months before. Terán complained that he threw every possible stumbling block in the way of the expedition, even to the extent of trying to incite the troops

¹Terán to Minister of War, November 14, 1829. Transcript. Legajo 14. 1830.

²Suarez to Terán, January 1 and 12, 1830, and Terán to Suarez, January 10 and 13, 1830. Transcripts. Legajo 14. 1830. Filisola says (*Guerra de Ténas*, I, 101) that the establishment of the new government in Tamaulipas was effected by Terán at the risk of his life.

to mutiny.¹ The minister of war responded on February 15 with an order to De la Garza, whose official position at this time is not clear, "to do all in his power to encourage the disaffected troops to be ready to start upon the expedition to Texas"; and "to notify the Supreme Government of any difficulty in executing federal orders, a difficulty that might result in great danger to the welfare of the Republic."² But before this was received by De la Garza Terán had begun his march northward.³ At San Fernando he was again forced to wait, but before discussing this delay, it will be necessary to go back a little in the course of events.

During the winter months of 1829, Terán had been preparing an exhaustive report on the Texas question, setting forth the existing conditions and his ideas of the remedy necessary. This report⁴ was presented to the government on January 6, 1830, by Constantino Tarnava, an aide of Terán's. It embraces military and political recommendations, and it is with the former that we are now concerned.

Declaring that "it is as necessary to counteract the influence of the majority of the population [in Texas] as it is to curb the claims of our neighbors," and emphasizing the helpless condition of the province, defended only by the weak and widely separated garrisons at Nacogdoches, Béjar, and La Bahía, the report presents a number of recommendations which may be briefly tabulated as follows:

(1) The removal to the Nueces of several companies of troops now on the Rio Grande; (2) the establishment of a strong and permanent garrison at the main crossing of the Brazos river, that there may be an intermediate force in the unsettled region separating Nacogdoches and Béjar; (3) the re-enforcement of the existing garrisons by troops of infantry properly belonging to them; (4) the occupation and fortification of some point above Galveston Bay, and another at the mouth of the Brazos, for the purpose of controlling the colonists; (5) the organization of a mobile force, equipped for sudden and rapid marches to a threat-

¹Terán to Minister of War, January 22 and 26, 1830. Transcripts. Legajo 14, 1830.

²Transcript. Legajo 14, 1830.

³Terán to Minister of War, February 14, 1830. Transcript. Legajo 14, 1830.

⁴See pages 407-413, *post*.

ened point; (6) and finally, the establishment of communications by sea, such being more prompt and less expensive than by land.

The presentation of this report was opportunely timed. The Bustamante government, just inaugurated, seized the chance to popularize itself by vigorous measures against the supposed designs of the United States. Lucas Alaman, the young and zealous minister of relations, became at once the champion of Terán's program, and during the next three months pushed it with such effect that by the end of the first week in April, Congress had approved every recommendation that it contained.

On January 30 the minister of war notified Terán that the supplies and recruits that he had requested for the Tenth Infantry and Ninth Cavalry in the private report of November 14 would be sent at once to Matamoras.¹ A week later he was notified that the governors of Guadalajara, Guanajuato, Zacatecas, and Durango were ordered to send re-enforcements for him immediately to Monterey.² When they arrived he was to distribute them as he saw fit among the Eleventh and Twelfth Infantry and the Ninth Cavalry. At the end of another week, the minister wrote that the demand on the governors for troops was being repeated, and "his excellency the vice-president hopes that your known ability and patriotism will move you to the immediate execution of your plan to simultaneously occupy the points of Béjar and La Bahía del Espíritu Santo before the disloyal colonists rise in revolt and possess themselves of the said points; but at the same time do not lose sight of the safety of Matamoras, a highly important point in case the enemy should attempt an invasion by way of the tributary Santiago."³

On February 16 Alaman asked the minister of war for a statement of the troops destined for Texas, and the minister's reply of the next day showed a total of 2965 intended for the expedi-

¹Department of War to Terán, January 30, 1830. Transcript. Legajo 14. 1830.

²Minister of War to Terán, February 6, 1830. Transcript. Legajo 14, 1830.

³Minister of War to Terán, February 13, 1830. Transcript. Legajo 14. 1830.

tion.¹ As a matter of fact, however, this number was never at Terán's disposal. Most of the States were slow in complying with the orders, and the governor of Zacatecas refused outright, declaring that the federal government could not constitutionally order militia of one state to do service in another.²

At the same time that the governor of Zacatecas was thus protesting, Terán wrote from San Fernando³ that though he had learned through private letters of the favorable action of the government upon every recommendation contained in his report of January 6, he had received no official instructions that would enable him to order out the reënforcements being gathered at Monterey, or to provide the necessary funds for the expedition. He begged that this delinquency be called to the attention of the vice-president, for, in his own opinion, "not one moment should now be lost."

Some time about the middle of March Terán advanced to Matamoras, where he intended to complete his preparations and get the troops in condition to be thrown quickly across the Nueces into Texas. On April 5 he was still at Matamoras, writing urgent, almost stormy, demands for funds and men with which to continue his important undertaking. He complained that even the inadequate sums of money already sent had been intercepted and partially used by the governor of San Luis Potosi.⁴

¹Transcripts. Legajo 14. 1830. These forces were classified as follows:
Federal Infantry:

The Twelfth Battalion.....	250
State Troops (Infantry):	
From San Luis Potosi.....	600
From Zacatecas.....	400
From Nuevo León.....	300
From Tamaulipas.....	300
From Coahuila-Texas.....	200

Federal Cavalry:	
The Ninth Regiment.....	315
The Ninth Company of Presidiales of the Eastern Interior States	300
State Troops (Cavalry):	
From San Luis Potosi.....	300

Total2,965

²Governor of Zacatecas to Alaman, February 16, 1830. Transcript. Legajo 14. 1830.

³Terán to Minister of War, February 14, 1830. Transcript. Legajo 14. 1830.

⁴Terán to Minister of War, March 15 and April 5, 1830. Transcript. Legajo 14. 1830.

The passage of the decree of April 6 placed the expedition in a somewhat different light, by providing for the permanent military occupation of Texas. Terán anticipated a storm of protest from Texas, and he apparently spent the months of April and May at Matamoras corresponding with Austin and talking with Texas colonists whom he encountered there in the hope of partially reconciling them to the decree,¹ which it is now necessary to examine.

IV. THE ORIGIN OF THE DECREE OF APRIL 6, 1830

1. *Terán's Letter of November 14, 1829.*—Historians have generally credited Alaman with the origination of the Decree of April 6, 1830,² but study of Terán's correspondence from November, 1829, to April, 1830, shows that he suggested practically every provision of the decree except the radical eleventh article. The first suggestion embodied in the decree occurs in the letter of November 14, 1829, already quoted:

If war should break out, it would be expedient to suppress it in a single campaign—a less expensive method than to be always on the defensive. But even this would be useless until a colony of one thousand native Mexican families is planted there, an economical measure when it is remembered that the funds spent once in establishing a colony would be spent many times in maintaining garrisons.

However, neither this suggestion, nor any other part of the letter of November 14, received immediate attention, probably for the reason that the Bustamante revolution was brewing, and the government had no time to devote to Texas. Bustamante was installed in December, and Terán at once dispatched his lieutenant, Constantino Tarnava, to the capital to submit to the new government, from which he hoped much, the report already referred to, setting forth in detail his entire scheme for the preservation of Texas.

2. *Tarnava's Report of January 6, 1830.*³—This report. al-

¹Terán to Austin, April 24, 1830. Austin Papers.

²See, for example, Bancroft, *North Mexican States and Texas*, II, 113; and Garrison, *Texas*, 159-160.

³Tarnava to Minister of War, January 6, 1830. Transcript. Legajo 14. 1830.

though it is of considerable length, is here given in full, because it is so evidently the document on which the Decree of April 6th is based, and also because it is so careful an outline of Terán's observations and policy.

Mexico, January 6, 1830.

Constantino de Tarnava to His Excellency the Minister of War and Marine.

Esteemed Sir: General Terán, as *comandante general* of the Eastern States, and as such entrusted with the oversight and protection of that part of the Republic, and also as chief of the commission for the boundary with the United States of the North, has several times called the attention of the Supreme Government to the urgency of taking prompt steps to prevent the shameful loss of the department of Texas—a loss whose consequences would vitally affect the safety of the entire nation, because of the condition which would then exist on the frontier, Chihuahua, New Mexico, and part of Sonora being exposed to and half surrounded by our dangerous neighbors, who would thus be at the doors of our richest states.

Having been placed in command of the troops to be sent to Texas to re-enforce threatened points, and desiring to contribute all he can to the preservation of this Republic, General Terán considers this an opportune time to propose certain steps which are suggested by his knowledge of that country; and to avoid the delay likely to occur in official correspondence, and to answer questions which might arise over information received from such a distance, he has commissioned the undersigned to submit to your excellency the necessary information regarding this department of Texas and the urgency of the proposed measures.

However important the other matters which now occupy the government, General Terán asks that it at once give attention to the department of Texas, scarcely as yet a part of the Republic. He declares that it is as necessary to counteract the influence of the majority of the population there as to curb the claims of our neighbors. Many of the newspapers of the United States—and particularly those of New Orleans, which have been sent the government from time to time—have discussed with much heat this question of the boundary at a time when such discussion was very suspicious, namely, when Spanish troops had invaded our country and it was supposed that we were launched upon a struggle which would exclusively absorb all our resources and attention. All these discussions, which based their pretensions on “just claims” and “agreements,” declared the Rio Bravo del Norte¹ to be the natural boundary between the two countries. General Terán does not doubt that the United States will carry out its

¹The Rio Grande.

project of possessing Texas at the first opportunity, which to them will be as soon as they think we are torn by civil strife—a consideration which should not be lost sight of for one moment; either they would incite the American population of Texas to revolt, as they tried to do in 1826 at Nacogdoches, or else force would be openly used to support these pretended claims, which the North American government certainly has not renounced, since under specious pretexts it has until this day refused to ratify the treaty negotiated in Mexico for the outlining of the boundary in accordance with the stipulations of the Treaty of Onís. That these pretensions to the ultimate possession of Texas by the United States may not be lightly regarded, it is sufficient to consider for a moment the actual conditions existing in that province: First, the comparative disadvantage in the distribution of population, the Mexican population being confined to only three points, while the North Americans are masters of the frontier posts, of the coast, and of the mouths of the rivers; second, the number of Mexican inhabitants is insignificant as compared with the constantly increasing number of settlers from the north, who everywhere are locating on the fertile lands of Texas, many of which they have occupied without any legal right. No one can fail to see the extremely dangerous influence which these North American colonists are bound to exercise in the affairs of the state, since a decree of the state legislature declares citizens all settlers of five years' residence. As has been stated, the Mexican population is at a standstill, while the American population is increasing daily, and the preponderating influence of the latter will be inevitable unless some extraordinary impulse is given to the colonization of that territory—a colonization that must be for the most part Mexican, and which will call for expenditures that the state of Coahuila, because of its poverty, cannot possibly undertake.¹

The only means of control which the government at this time has at its command are three weak and isolated garrisons for the whole of this immense territory. These are stationed at Béjar, La Bahía del Espíritu Santo, and Nacogdoches, points one hundred and twenty leagues from each other and without any intervening support.

In view of these conditions, General Terán thinks it indispensable that any political measures adopted by either the Supreme Government or the state government should agree with the military measures which he proposes to take.² . . .

He suggests that the political measures might be as follows:

¹Note that Terán suggests counter-colonization of Mexican families, not prohibition of colonization from the United States.

²Here follow the military recommendations already quoted, page 403.

(1) The removal of the *presidarios*¹ to Tampico or Soto la Marina, thence to be transported by sea to the points above mentioned, where they may apply themselves to agriculture under the protection of the enlisted troops;

(2) The encouragement by all legitimate means of the emigration of Mexican families to Texas;

(3) The colonization of Texas with Swiss and German colonists, whose language and customs, being different from those of our neighbors, will make less dangerous the nearness of the latter;

(4) The encouragement of coast-wise trade, which is the only means by which close relations can be established between Texas and the other parts of the Republic, and by which this department, now so North American in spirit, may be nationalized.

To carry out the first, or military, measures the following steps are necessary:

In order to advance the frontier, with the double object of pushing back the savages and placing the troops nearer Texas, companies of troops must be stationed above the Nueces River, as before stated. In this vicinity there is not a tree—a dearth of vegetation which is characteristic of an immense portion of the country—and consequently it will be necessary to permit the free importation of frame houses.

In order to re-enforce the garrisons by means of permanent troops, the Tenth and Eleventh Battalions should be completed,—the enlistment of both not now exceeding three hundred and fifty—as should also the Twelfth, which is stationed at Nacogdoches. The Ninth has some one hundred and forty on its roll and must be completed, because the *presidio* detachments cannot be drawn off entirely from their original office, namely, the war with the Indians. Therefore, re-enforcements are requested for the above mentioned companies.

To hold the points above indicated,² at this time wholly unoccupied, it must be certain that the soldiers are to be there, and that the provisions necessary for their maintenance be collected beforehand. The precarious dependence on casual remittances, which a thousand circumstances may delay or intercept, is insufficient. It is necessary that the portion of the customs receipts retained by the maritime states, and which is thirty-two per cent of the receipts, be assigned exclusively to the troops, and that the free importation of either hardtack or flour be permitted from Matamoras to Galveston for the support of the above mentioned troops and for new settlements.

For equipping the force which must move rapidly to any point

¹Convict soldiers.

²Some point above Galveston Bay, one at the mouth of the Brazos, and one at the point where the San Antonio road crossed the Brazos.

of danger, the suggestions just offered in the foregoing article should apply. Also this force should be provided with effective artillery, of which there is none in Texas, and which could not be brought in time over three hundred leagues of desert after the need for it arose. It is therefore necessary to place at Béjar beforehand a detachment of this class, or else to create a mobile artillery guard of militia, officered by veterans.

As soon as the Government can arrange the matter with financial ease, it should give its attention to the establishment of a strong fortress on the frontier for the purpose of collecting materials of war. It could then carry on war from this as a base of supplies, something which that distant and unprotected country lacks entirely.

To establish communication by sea it is necessary to have a boat set aside for this purpose alone and always available. The *presidio* companies are practically decimated on the continual trips to Nacogdoches; they are invariably left without mounts, or incapacitated for any service by these long and frequent marches through regions unhealthy at all seasons of the year; the freight cannot always be transported; and the losses in mules is enormous, while the delays from water are intolerable. To do away with these hardships as much as possible, General Terán has proposed that a schooner in constant service be placed in war trim and devoted exclusively to business affecting Texas. It would be well for this boat to confine its operations to the coast, which is frequented only by North American ships—usually smuggling vessels. The headquarters of this boat should be Matamoros, and supposing a detachment to be in Galveston—an indispensable item, in Terán's judgment—this boat should be employed to transport money, munitions of war, and passengers to the abovementioned port and to Nacogdoches.

Nevertheless, these military measures can afford but temporary security, for the holding of Texas does not depend upon the raising of one army nor upon the efforts put forth at one particular time, but upon continuous exertions. It therefore seems indispensable that in addition to these military measures the political measures already referred to should be taken, the utility of which it is not difficult to demonstrate:

First: Large numbers of the *presidarios* who are sent to Vera Cruz die, principally because of the climate. These same men, if transported to a more healthy country, where they would have no desire to desert into unknown wastes, but being compelled to work for a living and seeing in this work their only chance of bettering their condition and becoming proprietors of the land which should be allotted to them, would undoubtedly take kindly to farming and to the new life generally, and chang-

ing their old habits, they could become of real value to that society which now casts them out.

The lands adjacent to the coast have for the most part been ceded to the North American colonists, but it is a grave mistake to give these land up entirely, and to repair this mistake, garrisons of Mexican troops and colonies of Mexican families should be established at the coast points already mentioned, namely Galveston and the mouth of the Brazos. If this and the foregoing steps are taken, the colonists can be controlled.

For the establishing of a settlement at the mouth of the Brazos, it will be necessary to alter the contract of the *empresario* Austin, to whom the coast leagues which the law reserves to the federal government were most imprudently ceded, insuring the loss of Texas when the North Americans should complete their scheme for possessing themselves of the coast of this department.¹ In planning this settlement and that above Galveston—which regions are actual wastes in the whole sense of the word—it will be necessary to provide for the expense of barracks and houses, some farming implements, carpenter's and blacksmith's tools, as well as for provisions for the first few months. These different settlements will occasion other extraordinary expenditures, and arrangements to meet such must be made by setting aside one hundred thousand dollars (pesos).

Second: The second measure, the encouragement of the emigration of families to Texas, should receive the attention of the Government constantly. It is a fact that Mexicans are little disposed to enterprises of this nature, but it is also a fact that the state governments have made no attempts in this direction. Whatever obstacle may be encountered must be overcome, for these measures involve the safety of the nation and the integrity of our territory. Indeed, there is no choice of measures in this matter. Either the government occupies Texas *now*, or it is lost forever, for there can be no possibility of a reconquest when our base of operations would be three hundred leagues distant while our enemies would be carrying on their struggle close to their base and in possession of the sea.

To stimulate this settlement of Mexican families, the Government should create a loan fund for the assistance of poor laborers, for the purpose of supplying them with agricultural implements, etc. It might perhaps be possible for Government to promote among Mexican capitalists some kind of an association for the development of these lands in Texas.

¹It might be inferred from this statement that Terán did suspect the Texans of treacherous disloyalty, but from his letter of the 14th of November it would appear that he placed the credit for this "scheme" upon members of the state department and newspaper writers in the United States rather than upon the settlers themselves.

As the Mexican settlers will be without slaves—an advantage enjoyed by the North Americans—the progress which they make in the cultivation of the soil will necessarily be slower—as much for this reason as because of their smaller inclination for the art of agriculture. Therefore, the Government ought to encourage them by every means possible. The offer of rewards or bounties to those Mexicans who distinguish themselves in this line would in part accomplish this result.

Third: Concerning the colonization of Texas by Swiss or Germans, General Terán is aware that he has submitted a proposition already offered by Don Carlos Hubde,¹ a merchant of Mexico, but it will perhaps be considered at this time. Here, as in most of these measures, the Government will encounter obstacles difficult to overcome, such as it must always encounter in occupying Texas, if the rights of the state to which it belongs are to be reconciled with the safety of the nation. It is essential that the federal government strongly support any measures which have to be passed by the state for the rapid population of Texas, the encouragement of which would be far more easy if Texas were a territory depending solely upon the federal government.

Fourth: Coastwise trade is of the greatest importance in establishing relations with Texas, since through lack of such it is today trading only with New Orleans. Cotton, one of the principal products of Texas, could be transported to Tampico or Vera Cruz in boats of Campeachy—almost the only boats engaged in the coast trade—and thence it can be carried to foreign countries. The cotton shipped out of Texas is already seeded, owing to the gins common among the North American colonists; but since there is no trade with the rest of our ports, it is taken to New Orleans, where it must pay an import duty as foreign goods. The seaports north of Matamoras are not frequented by our coasting vessels. General Terán knows that the shipowners of Campeachy are embarking in no risky speculations on these matters, but are attracted by the temporary use of money which has no circulation in their market and can be sold at a discount in New Orleans.

General Terán thinks it not impossible that the government of the United States of the North, on perceiving a firm determination on our part to hold our own and to support and improve Texas, will begin to carry on its work openly; therefore, it may be expedient to act quickly and place ourselves on the defensive as soon as possible. The ratification of the treaty concluded in Mexico, and designating the boundary between the two nations, should afford the time required for the adoption of the above measures, which have become necessary in order to equal-

¹This name is given as in the transcript, but is possibly a misprint.

ize advantages. It would be possible to conduct this ratification under the cloak of the projected expedition, the preparations for which could be extended at will.

General Terán has given to the undersigned the necessary instructions to make to your excellency any explanations you may desire, either verbally or in writing, concerning these points or any others relative to the same matter.

Contantino Tarnava.

The principal recommendations of this report may be recapitulated as follows:

- (1) Settlement of convict soldiers in Texas;
- (2) Encouragement of emigration of Mexican families to Texas;
- (3) Encouragement of emigration of Swiss and Germans to Texas;
- (4) Encouragement of coastwise trade;
- (5) Free importation of frame houses into Texas;
- (6) Appropriation of the portion of the customs receipts shared by the maritime states to the support of the troops destined for Texas;
- (7) Free importation into Texas of food supplies for the troops;
- (8) Alteration of Austin's contract to give the government control of the coast leagues;
- (9) Establishment of new Mexican settlements, and support of the same for a certain time at federal expense;
- (10) Creation of a loan fund for voluntary colonization of Mexican families ;
- (11) Special rewards or bounties to successful agriculturists among the Mexican colonists.

3. *Alaman's Report of January 14, 1830.*—On January 14 Alaman sent to the president a preliminary report on the above document.¹ In this report he offers nothing new except a suggestion that England be invited to make a declaration against any design of the United States on Texas, such as the United States themselves had made against the conquest of Cuba by Mexico and Colombia. He says that Terán is of the opinion that a Mexi-

¹Alaman to the President, January 14, 1830. Transcript. Legajo 7. 1836.

can consul should be placed at New Orleans, "to keep an eye on the preparations of our neighbors, now almost our enemies." Then in a postscript to the report, he suggests that the newspapers of Mexico should intimate that in case of war any means would be justifiable against "so perfidious an enemy," even to the stirring up of an insurrection of slaves in Louisiana, thus retaliating with the same measures employed by the North Americans, who are inciting the colonists and the Cherokee Indians to revolt in Texas: "Louisiana is an open country, and its extension along our frontier makes it an easy matter to penetrate it with a force even smaller than that of the enemy, and by burning their own homes perhaps diminish the number of those advocating the conquest of Texas."

4. *Alaman's Iniciativa*.—On February 8 Alaman presented to the cabinet his famous *iniciativa* or project of the Decree of April 6. In this document he incorporated the recommendations of Tarnava's report, and added some important provisions of his own. On March 2 Alaman inclosed to Terán a copy of the report which the cabinet had laid before Congress—evidently the *iniciativa* itself—and called his attention to the fact that it is nothing more than the selection and co-ordination of various paragraphs from Terán's own letters and reports.¹ Concerning the status of the matter in Congress Alaman said:

The joint committee of the two houses which has this important business in charge . . . has presented the draft of a law covering the case—a copy of which is also inclosed—which law does not differ in substance from what the Government suggested and your excellency recommended. The specific decree will be one of the matters which the house will take under consideration between the dates which I indicated to you in my abovementioned communication of February 17th; the ratification which should follow—for there is ample ground to expect such ratification—will put you in position to take the necessary steps to remedy the abuses which that department [Texas] suffers.

This letter is the only document that I have been able to find relative to the passage of the decree through Congress. It would be interesting to follow the debates on the subject, but they are

¹Alaman to Terán, March 2, 1830. Transcript. Legajo 7. 1836. In this letter Alaman refers to a letter of February 17 on the same subject, but this has not been found.

not available. As passed on April 6 the decree conformed very closely to Alaman's *project*:

V. THE DECREE OF APRIL 6, 1830¹

Article 1. Cotton goods excluded in the Law of May 22, 1829, may be introduced through the ports of the Republic until January 1, 1831, and through the ports of the South Sea until June 30, 1831.²

Article 2. The duties received on the above mentioned goods shall be used to maintain the integrity of Mexican territory, to form a reserve fund against the event of Spanish invasion, and to promote the development of national industries in the branch of cotton manufacturers.³

Article 3. The government is authorized to name one or more commissioners who shall visit the colonies of the frontier states and contract with the legislatures of said states for the purchase, in behalf of the federal government, of lands deemed suitable for the establishment of colonies of Mexicans and other nationalities; and the said commissioners shall make with the existing colonies whatever arrangements seem expedient for the security of the Republic. The said commissioners shall supervise the introduction of new colonists and the fulfilling of their contracts for settlement, and shall ascertain to what extent the existing contracts have been completed.⁴

Article 4. The chief executive is authorized to take such lands as are deemed suitable for fortifications or arsenals and for the new colonies, indemnifying the states for same, in proportion to their assessments due the federal government.⁵

Article 5. The government is authorized to transport the convict-soldiers destined for Vera Cruz and other points to the colonies, there to establish them as is deemed fit; the government will furnish free transportation to the families of the soldiers, should they desire to go.⁶

Article 6. The convict-soldiers shall be employed in constructing the fortifications, public works and roads which the commissioners may deem necessary, and when the time of their imprisonment is terminated, if they should desire to remain as colonists, they shall be given lands and agricultural implements, and their

¹Translated from Dublan y Lozano's *Legislación Mexicana*, II, 238-240.

²See summary of Tarnava's report (4).

³*Ibid.* (6).

⁴*Ibid.* (2) and (3).

⁵*Ibid.* (8).

⁶*Ibid.* (1).

provisions shall be continued through the first year of their colonization.¹

Article 7. Mexican families who voluntarily express a desire to become colonists will be furnished transportation, maintained for one year, and assigned the best of agricultural lands.²

Article 8. All the individuals above mentioned shall be subject to both the federal and state colonization laws.

Article 9. The introduction of foreigners across the northern frontier is prohibited under any pretext whatever, unless the said foreigners are provided with a passport issued by the agents of this Republic at the point whence the said foreigners set out.³

Article 10. No change shall be made with respect to the slaves now in the states, but the federal government and the government of each state shall most strictly enforce the colonization laws and prevent the further introduction of slaves.

Article 11. In accordance with the right reserved by the general congress in the seventh article of the Law of August 18, 1824, it is prohibited that emigrants from nations bordering on this Republic shall settle in the states or territory adjacent to their own nation. Consequently, all contracts not already completed and not in harmony with this law are suspended.⁴

Article 12. Coastwise trade shall be free to all foreigners for the term of four years, with the object of turning colonial trade to the ports of Matamoras, Tampico, and Vera Cruz.⁵

Article 13. Frame houses and all classes of foreign food products may be introduced through the ports of Galveston and Matagorda, free of duty, for a period of two years.⁶

Article 14. The government is authorized to expend five hundred thousand dollars (*pesos*) in the construction of fortifications and settlements on the frontier, in the transportation of the convict-soldiers and Mexican families to same and their maintenance for one year, on agricultural implements, on expenses of the commissioners, on the transportation of troops, on premiums to such farmers among the colonists as may distinguish themselves in agriculture, and on all the other expedients conducive to progress and security as set forth in the foregoing articles.⁷

Article 15. To obtain at once one-half of the above sum, the government is authorized to negotiate a loan on the customs proceeds which will be derived from the ordinary classes of cotton

¹See summary of Tarnava's report (9).

²*Ibid.* (2) and (9).

³This article is obviously a necessary complement of Article 11.

⁴This measure is not found in any of Terán's recommendations.

⁵See summary of Tarnava's report (4).

⁶*Ibid.* (5) and (7).

⁷*Ibid.* (9), (10), and (11).

goods, said loan to pay a premium of three per cent monthly, payable at the expiration of the periods fixed in the tariff schedule.¹

Article 16. One-twentieth of the said customs receipts shall be used in the promotion of cotton manufactures, such as in the purchase of machines and looms, small sums being set aside for the installing of the machinery, and any other purpose that the government shall deem necessary; the government shall apportion these funds to the states having this form of industry. The said funds shall be under the control of the Minister of Relations for the purpose of promoting industries of such importance.²

Article 17. Also three hundred thousand dollars (*pesos*) of the above mentioned customs receipts shall be set aside as a reserve fund on deposit in the treasury, under the strict responsibility of the government, which shall have power to use the same only in case of Spanish invasion.

Article 18. The government shall regulate the establishment of the new colonies, and shall present to Congress within a year a record of the emigrants and immigrants established under the law, with an estimate of the increase of population on the frontier.

VI. DISCUSSIONS OF THE DECREE

1. *Alaman's Additions to the Tarnava Report.*—Comparison of the decree with the summary of the Terán-Tarnava Report reveals the following additions to Terán's proposals: (1) In article 3, the creation of a special inspection for the colonists; (2) in article 10, the enforcement of existing slave laws; (3) in articles 9 and 11, prohibition of immigration from the United States to Texas. Examination of the *iniciativa* shows these three additions to have been the work of Alaman,³ and from the point of view of the Texans they were among the most objectionable features of the decree. They saw in the first two provisions a determination to ensure the observance of some laws which they had habitually evaded; while the third called a halt to the rapid development of the province and separated the colonists from friends and relatives in the United States.

2. *Teran's probable attitude toward these additions.*—The first two of Alaman's additions were probably quite in harmony with

¹See summary of Tarnava's report (10).

²*Ibid.* (4).

³See the *iniciativa*. Filisola, *Guerra de Têjas*, II, 590.

Terán's ideas. In his letter of June 30, 1828, to President Guadalupe Victoria he had spoken of the evils of slavery and of the undesirability of repealing any of the laws restricting the importation of slaves. But I find no mention of the slave question in any of his succeeding correspondence. As to a special inspector of all colonies, he doubtless saw the need of such an officer, but also saw danger to his own plans should the inspector decline to co-operate with him. Of the policy of restricting Anglo-American immigration, however, there is not a hint in any of Terán's correspondence. Terán must have known before April that the measure was contemplated, for it appears in the *iniciativa*, and it is not likely that it was omitted from either the report submitted to Congress during the latter part of February or from the draft of the law submitted by the joint committee a little later, copies of which Alaman forwarded to Terán on March 2. But these copies could hardly have reached Terán for another week; and had he wished to protest, he might have felt that it was too late, or that the decree involved too much else of vital importance to his plans for him to jeopardize the whole by protest against this provision. However, we are not certain that he objected to the measure. We know only that he had not advocated it in any of his available correspondence or in the Tarnava report; and that since the beginning of his connection with Texas, his policy appeared to be to strengthen the loyalty of the Anglo-American colonists, and not to antagonize them.

3. *The secrecy attending Terán's work.*—Terán's plans for "saving Texas" seem to have been simple enough: first, secretly to prepare adequate reënforcements, then occupy the province suddenly on the plausible grounds of danger from the United States and from the Indians;¹ second, by measures for such an improvement of political conditions in Texas as would increase the respect of the colonists for their adopted country. The part of this scheme that was surprisingly well carried out was its secrecy.

From the date of Terán's first visit to Texas, he maintained a more or less frequent, and even affectionate, correspondence with

¹There seems to have been considerable uneasiness on the part of Piedras over the arrival in Texas of numerous bands of Cherokees and Chickasaws during the winter of 1829-30. Piedras to Terán, December 12, 1829, and Terán to Minister of War, January 24, 1830. Transcript. Legajo 14. 1830.

Austin; yet he was able to keep Austin entirely in the dark with regard to his intentions.

There is a touch of irony in the fact that some of the data used by Austin for his map of Texas—complimentary copies of which, executed by his own hand, he sent to Terán and other Mexican officials in the fall of 1829—were furnished by explorations recently ordered by Terán in preparation for this very occupation of the province. In his letter acknowledging the receipt of the map, Terán informed Austin that he would probably see him ere long, as it was his intention to return to Texas *for his health* as soon as he could be relieved from his duties in Tamaulipas.¹ As a matter of fact, his health was quite bad, as Austin was aware, so the reason seemed plausible enough. During the busy months that followed, Austin appears to have known nothing of Terán's plans for Texas.

The first definite information that Austin appears to have had of the projected expedition, division of the territory, and the Law of April 6 came in a letter written from New Orleans, April 5-7, by an American named Pettit, who was apparently in the Mexican naval service.² On March 20, after Alaman had submitted his *Iniciativa*, and the passage of the law had become an assured fact, Bustamante himself had deemed it well to write Austin a personal letter, expressing his friendship and entire confidence in him, and asking him to inform the colonists of his great interest in their prosperity. But this letter was slow in reaching Austin, because it was sent first to Terán, who held it until April 24, when he forwarded it with a letter of his own, insinuating that his own knowledge of the decree was as recent as that of Austin. Bustamante wrote:

Mexico, March 20, 1830.

Lieutenant-Colonel Stephen F. Austin.

Esteemed Friend: Notwithstanding the fact that I have not received an answer to the late letters which I have sent you, and in spite of the press of my own affairs, I take this opportunity of writing you this letter, which I shall send to you through Señor Terán, to whom you will kindly send your answer in order that it may not go astray.

My object on this occasion is to assure you that during my

¹Terán to Austin, September 28, 1829. Austin Papers.

²E. L. Pettit to Austin, April 5, 1830. *Ibid.*

administration you and your estimable colonists shall continue to receive the same proofs of favor and consideration which, since the year 1822, my wishes for your happiness and prosperity have made clear to you, since I have used in your favor the influence derived from the public positions I have held since that date. Be so kind, then, as to inform the colonists of my goodwill, and for yourself accept at the same time my assurances of true friendship and appreciation, wherewith I sign myself, as formerly, your friend and affectionate fellow-citizen. . . .

Anastasio Bustamante.¹

Terán wrote:

Matamoras, April 24, 1830.

My esteemed friend and Sir:

I have the pleasure of sending you the inclosed letter of my friend and companion-in-arms, Vice-president Don Anastasio Bustamante. I suppose that you have received information of the draft of the law for the development of this country, *which is now under consideration in the federal congress,*² and concerning which certain of my friends in Mexico have asked my opinion; *as I have time to communicate this opinion after hearing from you,* I beg you to write me your opinion with that frankness we have been accustomed to employ. My friends have particularly asked me about the matter of declaring Texas a territory, and on this point I am maintaining great circumspection, for indeed I have no settled conviction on the subject, having heard a diversity of opinions in Texas. If you will feel no hesitancy in honoring me with your reflections, I shall greatly appreciate the same.

I think that we shall have the pleasure of seeing each other within two months. In the meantime you know that your letters will be most welcome, and you may write at your leisure.

Present my regards to Señor Don Samuel,³ and do you command at pleasure your most affectionate friend and obedient servant. . . .

Manuel de Mier y Terán.⁴

It is hardly necessary to call attention to the craftiness with which Terán attempts in this letter to deny all responsibility for the decree whose provisions it had now become his duty to enforce. But while his attitude is wholly disingenuous, we must

¹Austin Papers.

²The italics in this translation are mine.

³Samuel Williams.

⁴Austin Papers.

remember that the most radical measures of the decree, those which he knew the colonists would most resent, were not his work.

VII. SUMMARY AND CONCLUSION

The Decree of April 6, 1830, was an attempt of Mexico to save Texas to the Mexican nation by strengthening the ties of that state with Mexico and severing those which bound it to the United States. In 1824 the Mexican government passed a generous colonization law, throwing open the rich lands of Texas to foreign immigration. The vast majority of foreign colonists who came in were from the United States, and the numbers and character of these colonists so endangered Mexican authority in Texas that the federal government felt it necessary to save the province by passing this Decree of April 6, the most important provision of which was the prohibition of all further immigration of colonists from the United States. The causes of suspicion and distrust which led to the promulgation of this decree begin as far back as the Fredonian Rebellion at Nacogdoches in 1826, and were continued and augmented by the insistent efforts of the United States to purchase Texas, by the determination of the colonists to hold slaves, notwithstanding their adopted country's reiterated policy of abolition, and by the friction which was the inevitable result of racial difference and prejudice. In 1828 General Terán, as chief of the boundary commission which was sent to survey the eastern and northern boundary between Mexico and the United States, reported a serious condition of affairs for the political and military authority of Mexico in Texas. But the central government was either too indifferent or too occupied with internal troubles to take cognizance of the situation at that time. In 1829 Terán was made *comandante general* of the Eastern States and at once began preparations to occupy Texas with a sufficient number of troops to lend prestige to Mexican authority in the state. About the same time he began urging upon the central government the necessity of action from that source, if Texas were to be saved to the federation. This the Guerrero government failed to do, but after the accession of Bustamante, in December of 1829, Terán sent his lieutenant, Constantino Tarnava, to lay before the central authorities a full report of conditions in Texas,

his own plans to remedy them, and various recommendations for political measures which would make his military plans more effective. One month later Lucas Alaman, the new minister of relations, laid these recommendations, with certain additions of his own, before Congress, and two months later still that body complied with the requests by passing the Decree of April 6, 1830, which was to go into effect on the day of its passage. The responsibility for that section of the law which prohibits further immigration from the United States seems to rest upon Alaman, though practically all of the other provisions are directly traceable to suggestions made by Terán.

It is not the purpose of this paper to follow the attempts to enforce the decree. The radical measures comprised in Article 11 were bitterly resented by the Texans, and were probably the most potent factors in the later friction that resulted, as Terán had so clearly foreseen, in the loss of Texas to the Mexican nation. Had Terán lived and been retained in his position as special commissioner and military governor of the colonies, the story might be different, but, as Filisola says, the whole fruit of his labors was destroyed by Santa Anna's overthrow of the Bustamante government in 1832.